

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

JENNIFER GERING,

Plaintiff,

vs.

DANNY DEUTSCHE,

Defendant.

7:13CV5009

**ORDER and
REPORT AND RECOMMENDATION**

This matter is before the court after a telephone conference with counsel for the parties on April 3, 2014. Amy L. Patras represented the plaintiff and Stephen L. Ahl represented the defendant. On March 31, 2014, the plaintiff filed a motion for a partial summary judgment (Filing No. 14). On April 2, 2014, the defendant filed a motion for enlargement of time to respond (Filing No. 19). The defendant also filed a brief (Filing No. 20) and an affidavit (Filing No. 21-1) specifying reasons that the defendant cannot present facts essential to justify his opposition in accordance with Fed. R. Civ. P. 56(d). Accordingly, the court grants the defendant's motion for an enlargement of time insofar as the undersigned magistrate judge recommends to District Judge Joseph F. Bataillon that the plaintiff's motion for partial summary judgment (Filing No. 14) be denied without prejudice.

IT IS ORDERED:

The defendant's motion for enlargement of time to respond (Filing No. 19) is granted as set forth herein.

IT IS RECOMMENDED TO DISTRICT JUDGE JOSEPH F. BATAILLON that:

The plaintiff's motion for a partial summary judgment (Filing No. 14) be denied without prejudice.

Dated this 4th day of April, 2014.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge